

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
W. R. GRACE & CO., et al.¹)
Reorganized Debtors.) Case No. 01-01139 (AMC)
) (Jointly Administered)
) Re: Docket No. 33154
)

**CERTIFICATION OF COUNSEL REGARDING ORDER APPROVING BRIEFING
SCHEDULE AND HEARING DATE FOR MOTION FOR SUMMARY JUDGMENT
PURSUANT TO FED. R. BANKR. P. 7056 FOR DISALLOWANCE OF CLAIM
NO. 392, FILED BY GARY S. SMOLKER, AND RELATED CLAIMS
NOS. 382 AND 4070, FILED BY HOME SAVINGS TERMITE
CONTROL, INC., AND WAYNE MORRIS, RESPECTIVELY**

1. On August 3, 2020, the above-captioned reorganized debtors (collectively, the “Reorganized Debtors”) filed its *Motion for Summary Judgment Pursuant to Fed. R. Bankr. P. 7056 for Disallowance of Claim No. 392, Filed By Gary S. Smolker, and Related Claims, Nos. 382 and 4070, Filed By Home Savings Termite Control, Inc., and Wayne Morris, Respectively* (the “Motion for Summary Judgment”) [Docket No. 33154]².

2. On August 18, 2020, Gary S. Smolker (the “Claimant”) filed the *Gary S. Smolker’s Objections and Response to W. R. Grace & Co.’s Motion for Summary Judgment* (the “Objection”) [Docket No. 33157].

3. On September 17, 2020, the Court held a telephonic status conference before the Honorable Ashely M. Chan.

4. The Court set a briefing schedule during the telephonic status conference.

¹ W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc., or “Grace”) is the sole remaining Reorganized Debtor and Case no. 01-1139 is the sole remaining open chapter 11 case.

² Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

5. Attached hereto as Exhibit A is a copy of a proposed form of Scheduling Order (the "Proposed Order").

6. Counsel for the Debtors circulated the Proposed Order to the Claimant. Counsel for the Debtors received informal comments from Claimant. The order has been updated to incorporate the comments received by the Claimant.

7. By way of this certification, the Reorganized Debtor respectfully requests that the Court enter the Proposed Order at its earliest convenience.

8. Counsel for the parties are available, should the Court have any questions or concerns with the foregoing or the Proposed Order.

Dated: September 28, 2020

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